

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**NORTH PENN TOWNS, LP,**

Plaintiff,

v.

**CONCERT GOLF PARTNERS, LLC, et al.,**

Defendants.

**CIVIL ACTION**

**NO. 19-4540-KSM**

**ORDER**

**AND NOW**, this 28th day of July, 2022, upon consideration of Defendants’ Motions for Summary Judgment (Doc. Nos. 100, 101), Plaintiff’s responses (Doc. Nos. 116, 117), Defendants’ replies (Doc. Nos. 124, 125), Plaintiff’s sur-replies (Doc. Nos. 127, 128), and the parties’ other submissions (*see* Doc. Nos. 149, 173); following oral argument on the Motions; and for the reasons discussed in the accompanying Memorandum, it is **ORDERED** as follows:

1. Concert Golf Partners, LLC and Peter Nanula’s (the “Concert Defendants”) Motion for Summary Judgment (Doc. No. 100) is **GRANTED**. The Court dismisses Counts I (fraud), II (§ 550), III (§ 551), and IV (aiding and abetting fraud), with prejudice, as to the Concert Defendants.
2. Ridgewood Real Estate Partners, LLC, Jonathan Grebow, and Michael Plotnick’s (the “Ridgewood Defendants”) Motion for Summary Judgment (Doc. No. 101) is **GRANTED in part** and **DENIED in part**. The Motion is **GRANTED** as to Counts II (§ 550), III (§ 551), and V (aiding and abetting fraud), and those claims are dismissed,

with prejudice, as to the Ridgewood Defendants. The Motion is **DENIED** as to Count VI (breach of contract).

3. Concert Golf, Peter Nanula, Michael Plotnick, and Jonathan Grebow are **DISMISSED** as Defendants in this matter.
4. The Concert Defendants' Motions *in Limine* (Doc. Nos. 138, 140, 142, 143, 144) are **DENIED as moot**.
5. The Concert Defendants' Motion for Reconsideration (Doc. No. 115) is **DENIED as moot**.
6. Plaintiffs' Motions to Exclude Robert Kaltman, John Musnuff, and L. Erik Ringoen as Expert Witnesses (Doc. Nos. 98, 99) are **DENIED as moot**.
7. The Ridgewood Defendants' Motion *in Limine* to Preclude Certain of Plaintiff's Trial Exhibits (Doc. No. 141) is **DENIED as moot**.
8. Plaintiff's Motion *in Limine* to Preclude Any Evidence or Testimony of Criminal Convictions (Doc. No. 147) is **DENIED as moot**.
9. Plaintiff and Ridgewood Real Estate Partners shall participate in a settlement conference to be held before Magistrate Judge Elizabeth Hey.

**IT IS SO ORDERED.**

*/s/ Karen Spencer Marston*

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KAREN SPENCER MARSTON, J.